

ORDINANCE NO. 11-44

ORDINANCE APPROVING A FINAL PLAT OF BRINALDO AND JOSEFINA ALVAREZ PLAT. **PROPERTY LOCATED AT 96 EAST 59 STREET, HIALEAH, FLORIDA.** ACCEPTING ALL DEDICATION OF AVENUES OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of June 8, 2011 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The final plat of Brinaldo and Josefina Alvarez Plat, submitted by Brinaldo Alvarez, joined by his wife, Josefina Alvarez, is hereby accepted. Property located at 96 East 59 Street, Hialeah, Miami-Dade County, Florida, zoned R-1 (One Family District), and classified under the Future Land Use Map as Low Density Residential, and legally described as follows:

A REPLAT OF LOTS 19, LESS THE WEST 12 FEET THEREOF, AND ALL OF LOT 20, IN BLOCK 5, OF PALM AVENUE HIGHLANDS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, AT PAGE 35, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH THE NORTH 5 FEET OF THE ALLEY LYING SOUTH OF AND ADJACENT THERETO, VACATED PURSUANT TO HIA., FL, ORD. 94-104 (Nov. 15, 1994).

Section 2: All dedication of avenues or other public ways together with all existing and future planting, trees, shrubbery and fire hydrants thereon are hereby accepted.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or section of this ordinance.

Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, and signed by the Mayor of the City of Hialeah, Florida.

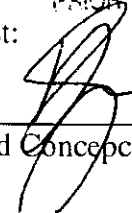
PASSED and ADOPTED this 12th day of July, 2011.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLA. STA. STATUTE 166.041
PRIOR TO FINAL READING.


Isis Garcia-Martinez
Council President

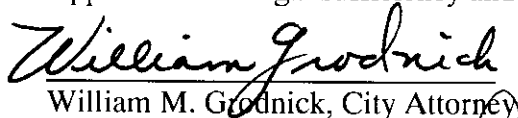
Attest:

Approved on this _____ day of _____, 2011.


David Concepcion, Acting City Clerk


Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:


William M. Grodnick, City Attorney